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No. 12-6030

UNITED STATES COURT OF APPEALS FOR THE SIXTH CIRCUIT

FILED
Feb 14, 2013
DEBORAH S. HUNT, Clerk

n re:	BRIAN SCOTT BOTTOMS,)	
)	<u>O R D E R</u>
	Petitioner)	

Before: BOGGS and MOORE, Circuit Judges; FORESTER, District Judge.*

Brian Scott Bottoms petitions this court for a writ of mandamus, asking the court to compel the district court to hold a preliminary hearing and a detention hearing and to rule on his motions to preserve evidence and dismiss his criminal complaint.

A criminal complaint was filed on June 6, 2012, alleging that Bottoms influenced, impeded, or retaliated against a federal official by threat. Bottoms then filed five pro se motions to establish a trial date, to preserve and produce evidence, to dismiss the complaint, to set a reasonable bond, and to supplement his motion to dismiss. The government moved to detain Bottoms.

The district court denied Bottoms's pro se motions because he was represented by courtappointed counsel. The district court also temporarily detained Bottoms, and his preliminary and
detention hearings were held in abeyance pending a mental-health examination. The examination
was completed, and the district court found Bottoms competent to stand trial. Thereafter, Bottoms
waived a preliminary hearing, and he was released on his own recognizance. Thus, he has received
all of the relief he requested in his mandamus petition.

^{*}The Honorable Karl S. Forester, Senior United States District Judge for the Eastern District of Kentucky, sitting by designation.

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The mandamus petition is **DISMISSED AS MOOT**.

ENTERED BY ORDER OF THE COURT

Clerk